

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

CYPHER ENTERPRISES, LLC, §
§
Plaintiff, §
§
§
§
§
v. § **Civil Action No.** _____
§
HASHFAST TECHNOLOGIES LLC and §
HASHFAST LLC, §
§
Defendants. §
§

DEFENDANTS HASHFAST TECHNOLOGIES LLC and
HASHFAST LLC'S REMOVAL

Defendants Hashfast Technologies LLC (“Hashfast Technologies”) and Hashfast LLC (“Hashfast”) (collectively “Defendants”) hereby file this Removal pursuant to Local Civil Rule 81.1 and 28 U.S.C. § 1441 *et seq.* and state as follows:

1. Plaintiff Cypher Enterprises, LLC (“Cypher” or “Plaintiff”) filed its Original Petition and Applications for Injunctive Relief in the 348th Judicial District Court of Tarrant County, Texas, on March 7, 2014.
2. On March 25, 2014, Plaintiff filed its First Amended Petition and Applications for Injunctive Relief. Plaintiff seeks monetary relief over \$200,000 but not more than \$1,000,000. Pl.’s First Am. Pet. ¶ 4, attached hereto as Exhibit C-7.
3. On March 27, 2014, the 348th Judicial District Court issued a Temporary Restraining Order on Hashfast Technologies and Hashfast.
4. On April 4, 2014, Plaintiff filed a Motion to Extend the Temporary Restraining Order.
5. The 348th Judicial District Court has set a hearing for April 9, 2014, at 8:30 a.m.

6. Defendants' registered agent for service of process in California received a copy of Plaintiff's First Amended Petition and Applications for Injunctive Relief and the Temporary Restraining Order on April 3, 2014.

7. Defendant Hashfast Technologies is a limited liability company organized under California law with its principal place of business in San Jose, California. Defendant Hashfast is a limited liability company organized under Delaware law with its principal place of business in San Jose, California. For purposes of diversity jurisdiction, the citizenship of a limited liability company is determined by the citizenship of its members, and the members of Defendants are citizens of the State of California, the State of Colorado, and the Special Administrative Region of Hong Kong in the People's Republic of China.

8. Plaintiff is a limited liability company organized under Texas law with its principal place of business in Southlake, Texas. Ex. C-7, Pl.'s First Am. Pet. ¶ 1. On information and belief, the members of Plaintiff are citizens of the States of Hawaii or Missouri, and none of the members of Plaintiff are citizens of California, Colorado or the People's Republic of China. Plaintiff is thus a citizen of Hawaii and/or Missouri for purposes of diversity jurisdiction.

9. This Court has original jurisdiction over this civil action pursuant to 28 U.S.C. § 1332 because it is between citizens of different States or citizens of a State and citizens or subjects of a foreign state and the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs. Pursuant to 28 U.S.C. § 1446(b)(1), Defendants have timely removed this action. Accordingly, removal to this Court is appropriate pursuant to 28 U.S.C. § 1441(a), based upon diversity of citizenship.

10. In accordance with 28 U.S.C. § 1446(a) and Local Civil Rule 81.1, Defendants attach the following information: (1) an index of all documents that identifies each document and indicates the date the document was filed in state court, attached hereto as Exhibit A; (2)

a copy of the docket sheet in the state court action, attached hereto as Exhibit B; (3) Plaintiff's Original Petition and Applications for Injunctive Relief, attached hereto as Exhibit C-1; Tarrant County E-Filing Service Request for Issuance of Citation for HashFast Technologies LLC, attached hereto as Exhibit C-2; Tarrant County E-Filing Service Request for Issuance of Citation for HashFast LLC, attached hereto as Exhibit C-3; Plaintiff's Certificate of Compliance with Tarrant County Local Rule 3.30(c), attached hereto as Exhibit C-4; File Copy of Citation Issued to HashFast Technologies LLC, attached hereto as Exhibit C-5; File Copy of Citation Issued to HashFast LLC, attached hereto as Exhibit C-6; Plaintiff's First Amended Petition and Applications for Injunctive Relief, attached hereto as Exhibit C-7; Temporary Restraining Order, attached hereto as Exhibit C-8; and Plaintiff's Motion to Extend Temporary Restraining Order, attached hereto as Exhibit C-9. A civil cover sheet and a supplemental civil cover sheet, in addition to a separately signed certificate of interested persons, are also being filed contemporaneously herewith.

11. In accordance with 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being filed with the District Clerk of Tarrant County, Texas, and is being served on all adverse parties.

WHEREFORE, Defendants provide notice that the above-entitled action is removed to this Court from the 348th Judicial District Court in Tarrant County and respectfully request that this Court accept jurisdiction over this civil action and that this civil action be entered on the docket of this Court for further proceedings as though it was originally instituted here.

Dated: April 8, 2014

Respectfully submitted,

s/ Kelly D. Hine

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**Attorneys for Defendants Hashfast
Technologies LLC and Hashfast LLC**

CERTIFICATE OF SERVICE

On the 8th day of April 2014, a true and correct copy of the above was sent via certified mail return receipt requested, electronic mail, and through the Court's CM/ECF systems to the following:

Robert J. Bogdanowicz III
rob@deanslyons.com
325 N. Saint Paul Street, Suite 1500
Dallas, Texas 75201
(214) 736-7861 – Office
(214) 965-8505 – Facsimile

s/ Kelly D. Hine
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